

**REMARKS**

Claims 1, 2, 4, 6-12, 14-16, 19, 21-24, and 26 are pending. Claims 1, 10 and 19 are amended herein. Support for the amendments is detailed below.

**Applicants' Response to the Claim Rejections under 35 U.S.C. §112**

**Claims 1, 10, and 19, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

Specifically, claims 1, 10 and 19 are considered indefinite on the basis that it is not clear if the recitations “resist pattern used as a mask” and “the resist pattern removed” as used in the claims are referring to the resist pattern formed immediately after the exposure and development process or if the recitations are referring to the resist pattern that has been subjected to the post-development etching of the sidewall and top surface of the developed resist pattern.

In response thereto, applicants have amended claim 1 to clarify that the resist pattern has the surface etched when used as a mask. Similarly, claims 10 and 19, clarify that after the etching of the first film the resist pattern is removed.

Wherefore, applicants respectfully submit that the present invention as now claimed is definite.

Application No.: 10/692,722  
Art Unit: 1795

Amendment under 37 CFR §1.111  
Attorney Docket No.: 032045

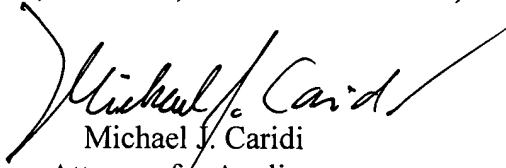
In view of the aforementioned amendments and accompanying remarks, Applicant submits that the claims, as herein amended, are in condition for allowance. Applicant requests such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**

A handwritten signature in black ink, appearing to read "Michael J. Caridi", is written over the printed name and title.

Michael J. Caridi  
Attorney for Applicant  
Registration No. 56,171  
Telephone: (202) 822-1100  
Facsimile: (202) 822-1111

MJC/ttw